



STATE OF MICHIGAN
COURT OF APPEALS

ELIZABETH GLEICHER
CHIEF JUDGE

March 7, 2023

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Larry Royster
Chief of Staff/Clerk of the Court
Michigan Supreme Court
Lansing, MI 48909

RE: MCR 1.109 amendment

Dear Mr. Royster:

As the Chief Judge of the Michigan Court of Appeals, I write with regard to a letter sent to you on March 1, 2023, addressing the proposed amendment to MCR 1.109 and signed by 12 judges of the Court. The letter does not represent an official position or statement of the Court of Appeals. It reflects only the opinions of the signers.

The letter also does not represent an official position or statement of the Rules Committee of the Court of Appeals. The Rules Committee of the Court of Appeals met last month and considered whether to take an official position regarding the proposed amendment to MCR 1.109. No consensus was achieved. The Court of Appeals as a whole has never taken a vote on the proposed amendment. The March 1, 2023 letter was shared with all of the judges on the Court of Appeals, and as the letter reflects, most did not sign it.

Many judges of this Court support the proposed amendment, and I anticipate that some will send letters to the Supreme Court expressing their thoughts. The Court of Appeals, however, takes no position regarding the proposed amendment, as this letter is intended to clarify.

Respectfully,

A handwritten signature in black ink, appearing to read "Elizabeth L. Gleicher".

Elizabeth L. Gleicher, Chief Judge
Michigan Court of Appeals

ELG/cmf